

REMARKS

Claims 11-16 are pending in the application.

Claims 11-16 stand rejected.

Claims 17 and 18 are newly added. These new claims are fully supported by the original disclosure. No new matter is entered.

Claim 11 has been amended for clarity.

The Office Action rejects claim 11 under 35 U.S.C. 112, second paragraph as being indefinite. Claim 11 has been clarified herein. The last feature of claim 11 indicates that the communication network includes a second address translator. The second address translator is a separate claim element from the destination node feature, therefore, the “and” has been included in the claim between the two features.

In view of the clarification to claim 11, it is respectfully requested this rejection be withdrawn.

The Office Action rejects claims 11-16 under 35 U.S.C. 103(a) as allegedly obvious over Lancelot et al. (USP 6,026,086) (hereinafter “Lancelot”) in view of Hamamoto et al. (USP 6,038,233) (hereinafter “Hamamoto”). The applicant respectfully traverses this rejection.

Claim 11

Claim 11 recites: “a first address translator for translating initial address information carried by packets received from at least one terminal device into address information carrying information about:

(a) the predetermined transmission properties to be used for transmitting the associated packets” (emphasis added).

It is admitted on page 3 of the Office Action that Lancelot fails to disclose the predetermined transmission properties to be used for transmitting packets.

The Office Action alleges Hamamoto discloses this feature at col. 1, lines 35-37, col. 4, lines 15-67 and col. 9, lines 12-55.

Hamamoto apparently discloses translating, for example, an IPv4 header to an IPv6 header. The header includes a version field, a service type field, a source address and a destination address among other fields.

Hamamoto describes converting the IPv4 address to an IPv6 address and converting the service type in the IPv4 header to a service type in the IPv6 header.

Thus Hamamoto is converting address to address and service type to service type. There is no disclosure or suggestion of converting a IPv4 address to IPv6 address information carrying service type information. Furthermore, the service type information in Hamamoto is not address information.

In contrast to Hamamoto, applicant claims translating initial address information carried by packets received from at least one terminal device into address information carrying information about: the predetermined transmission properties to be used for transmitting the associated packets.

Thus, Hamamoto teaches converting address to address and service type to service type, while applicant claims translating initial address information into address information carrying information about: the predetermined transmission properties to be used for transmitting the associated packets. Hamamoto fails to teach or suggest applicant's claimed feature.

According to MPEP 2142 to establish a *prima facie* case of obviousness the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.

In the present Office Action it is admitted that Lancelot fails to teach at least the above claimed feature and, for at least the foregoing reasons, it is clear that Hamamoto likewise fails to teach the claimed feature. Therefore, according to MPEP 2142 a *prima facie* case of obviousness has not been established and the rejection should be withdrawn.

Accordingly, applicant respectfully submits that claim 11 is allowable.

Claims 12-14 and 17-18 depend upon allowable claim 11 and are also allowable at least by virtue of their dependency therefrom and because each claim further recites distinguishing features.

Furthermore, with regard to claims 13 and 14, in the rejection of claim 11 the Office Action admits that Lancelot fails to disclose a second address translator. However, in rejecting claims 13 and 14 the Office Action now alleges that Lancelot

discloses the second address translator. Applicant respectfully submits that Lancelot fails to disclose the claimed feature, as admitted in rejecting claim 11, therefore, the features of claims 13 and 14 cannot be rejected by now pointing to Lancelot as teaching the second address translator.

With regard to claim 12, applicant could not find any discussion of claim 12 in the Office Action.

Claim 15

Claim 15 recites a “destination node for communication in a communication system having a plurality of source nodes arranged for transmitting of packets containing initial address information..., wherein the destination node is arranged to perform a second address translation, translating the address of the destination node back into the initial address information.”

It is admitted in the Office Action that Lancelot does not disclose translating the address of the destination node back into the initial address information. The Office Action alleges Hamamoto discloses the feature at col. 1, lines 35-37, col. 4, lines 15-67 and col. 9, lines 12-55.

However, Hamamoto only describes converting from IPv4 to IPv6, or IPv6 to IPv4. There is not disclosure of converting, for example, from IPv4 to IPv6 and then translating the translated IPv6 back into the initial address information.

Accordingly, the combination of Lancelot and Hamamoto does not disclose all of the subject matter recited in claim 15. Thus, for at least the foregoing reasons, applicant respectfully requests that the rejection of claim 15, as allegedly being obvious over Lancelot and Hamamoto, be withdrawn.

Claim 16

Claim 16 recites a “communication method comprising ... translating initial address information carried by packets received from at least one terminal device into address information carrying information about the transmission properties to be used for transmission of the packets.”

The analysis of independent claim 16 is substantially analogous to the analysis of claim 11, as presented hereinabove. To avoid repetition, claim 16 will not be discussed in detail with the understanding that it is patentable at least for the same reasons as

claim 11. Applicant, therefore, respectfully submits that the rejection of claim 16 should be withdrawn.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are solicited. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues. In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,



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